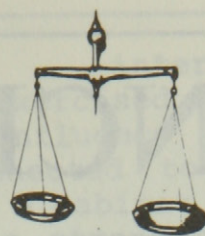


Quid Novi



VOL. VI NO. 21

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FACULTE DE DROIT UNIVERSITE MCGILL

March 19, 1986
19 mars, 1986

OUT OF OTTAWA

by Terry Pether

In a lively and informative talk last Wednesday, Monique Bégin spoke to students about the politics of power in Ottawa. As one of the first women to launch a career on the Hill, she was able to bring to her presentation the unique perspective of an outsider who was forced to learn the rules of the game from square one. It was this outside status which was to shape the way Bégin acquired power as a cabinet minister in the Trudeau government.

Bégin entered the federal scene as a political

neophyte. She contrasted herself to the illustrious Paul Martin Sr. who had mapped out his life for public service, attending all the right schools and connecting with all the right people along the way. Bégin had not even belonged to a local party machinery before her election victory in 1974. She nonetheless enjoyed being one of five female newcomers whose status guaranteed them the requisite visibility for existing as individuals in the House of Commons. Such focused attention, of course, invited close scrutiny, but she found her colleagues helpful in smoothing the rocky road

through her initial months in Parliament. Thus, somewhat naively, Bégin admits, she was hurt to discover soon thereafter that politics was a jungle and the MPs its inhabitants, fighting for survival therein. Her disappointment soon yielded to the realization that, woman or not, she herself was a viable competitor.

Bégin learned quickly that influence is not achieved without a network of allies, not an easily identifiable clique, but a loosely connected group of persons with whom to com-

Cont'd on p. 3

WHY RUSSIANS DRINK VODKA

Joani Tannenbaum
Maria Strom

Why do Russians drink vodka? The most often ventured response to this query is "Because of the climate." An innocent question and its seemingly simple response are damning evidence against the immense gullibility and embarrassing ignorance of North Americans with respect to the reality of Soviet life.

Knowledge of Soviet society is an imperative step towards resolving many of

the problems that plague East-West relations. Same old song, right? You've doubtless heard it before, right? Of course you have, but Leonid Feldman sings to a different tune. A Soviet Jew who emigrated to the United States in 1976, Mr. Feldman is presently studying at a rabbinical college in New York, something that would have been unthinkable in his native homeland. He is a man with a mission, as the saying goes, and a mighty determined one at that. He did not come to McGill to speak to Political Science students for their

amusement, nor for their edification. He came to conquer; to mobilize forces in his battle against Soviet oppression of non-conformists within the U.S.S.R., of rebels from without, and especially against the State's obsessive drive to eliminate, to annihilate, to eradicate Soviet Jewry.

Mr. Feldman did not deal in abstract ideological philosophies; rather, he attempted (and not in vain, we may add) to convey to his audience an

Cont'd on p. 4

ANNOUNCEMENTS

Administrative Law Moot

On February 28 and March 1, 1986, McGill mooters competed in the first annual Administrative Law Moot, sponsored by the University of Toronto, which was held at the Federal Court in Toronto. This year's problem dealt with issues of administrative and Charter Law. McGill was represented by Francis Lamer and Cheryl Goldsmith for the appellants, and Gayle Pinheiro and Scott Turner for the respondents. At the end of the final round of arguments, our team placed second overall and won first prize for the best factum.

Special thanks must go to all those who gave of their time and energy, and in particular, Professor Baker, Professor Birks, Greg Bordan, Shaun Cathcart, Holly Cullen, Robert Cucci, Scott Disher, Professor Foster, Andrew Foti, Professor Grey, Professor Jukier, Julie Latour, Marc Lemieux, Dean Macdonald, Hartland Paterson, Professor Scott, Michael Shuster, Professor Stevens and Professor Vlasic.

Attention All Students

It has been brought to the attention of the library staff that pages are being torn out of books. As well, case reports which have been missing and have had up to 20 search requests have been found hidden in the stacks on the sixth floor. Since moots are just finishing up and many people are in the process of writing term papers, a little co-operation would be appreciated from your fellow students.

The Editor

Summer Employment Opportunity for 1986

The Legal Information and Research Group (L.I.R.G.) is a non-profit federally funded summer employment project that aims to inform the public on legal subjects of interest and benefit to the community via the publication and distribution of documents.

This summer, L.I.R.G. will publish documents on any or all of the following topics:

- Law for Community Workers
- Employee-Employer Relations
- Insurance Law and the Consumer

If you would be interested in working on such a project please leave:

- A 1-page bilingual letter stating why you would be interested in participating in such a project and any relevant experience you may have;
- A résumé

at SAO (c/o L.I.R.G.) by Friday, March 21, 1986.

You will be contacted shortly afterwards should an interview be requested.

Note: If you have any further questions, please contact Grace de Sousa or leave a message at S.A.O.

The McGill Law Journal is pleased to announce the executive of volume 32 (1986-87):

Editor in Chief:
Marc Lemieux

Managing Editor:
Holly Nickel

Executive Editor:
Fred Enns

Associate Editor:
Roberto Cucci

PLACEMENT CENTRE

ALBERTA

A brochure has been received from the Legal Education Society of Alberta regarding the Alberta Bar Admission Course. This brochure has been posted in the Placement Committee for your information.

ONTARIO

Mr. Leor Margulies of Robins, Appleby, Kotler, Banks & Taub in Toronto and a McGill law school graduate has forwarded a copy of this firm's brochure and this is available for perusal in the Placement Centre. Mr. Margulies has indicated his willingness to accommodate students who have questions pertaining to this firm's articling and/or summer student program.

May I remind students once again that the Placement Centre is open from 9:00 - 5:00 daily and the articling survey forms are also available in the Admissions Office. Those of you who have questions regarding articling, summer jobs, etc., should feel free to come into the Admissions Office and André Lemieux or Mrs. Higgins will be more than happy to answer your questions.

Out of Ottawa Cont'd from p. 1

municate and keep informed. A second important thing she learned was not to adopt just a single cause as an MP and thereby diminish her credibility on other issues she may have wanted to address. For this reason, B  gin decided not to become the crusading voice of women even on the day Prime Minister invited her to become Minister for the Status of Women. She declined this "unproductive portfolio" with neither budget nor bureaucracy. Later that day, Trudeau offered her the Ministry of National Revenue. Eventually she would become the Minister of Health and Welfare.

Many former cabinet ministers, said B  gin, are easily forgotten, especially those who were prisoners

to private interest. Those who exercised real power and influence were directly connected to the grassroots. A cabinet minister needs a strong "clientele" to win the big battles in cabinet. One who owes his allegiance to an elite group cannot propose social change lest he offend the establishment. One who is the voice of a large and vocal constituency, on the other hand, is a force to be reckoned with at the cabinet table. B  gin offered former Minister of Agriculture, Eugene Whelan, as an example of the latter type. He was well connected with all the players in the agricultural sector. If they were not already pushing him to act on their behalf, he was signalling them to do so when there arose an upcoming item on the cabinet agenda relevant to their interests. B  gin enjoyed

similar grassroots support and consequential influence as Health Minister. Once you have their trust, she asserted, only your own stupidity can take it from you. She maintained her support and used it gainfully in cabinet until she left politics in 1984.

Monique B  gin had gone green to Ottawa prepared to effect some social change. She settled deliberately at her own pace into her role, always remaining loyal to her scattered origins. Once part of the system, she achieved power in a way which allowed her to state confidently that she had the satisfaction of leaving the Hill having accomplished something with her power that improved the quality of life for Canadians. Even players who at first did not belong, she concluded, can make it.

LETTRE OUVERTE A M. RENSHAW

Cher Monsieur,

J'avais le choix de vous   crire ou d'aller vous rencontrer. J'ai choisi la premi  re alternative, et cela pour une bonne raison. Si j'  tais all  e vous rencontrer, vous auriez   t   mon seul interlocuteur. Pour tout, ce que j'ai    dire ne s'adresse pas vraiment    vous. Ou en tout cas, pas seulement    vous.

C'est donc que j'esp  re, en utilisant une lettre ouverte, rejoindre mes vrais interlocuteurs tout en vous mettant au courant de ce qui me tracasse.

J'ai eu cette id  e de vous   crire hier, en revenant de la biblioth  que de Droit de l'Universit   de Montr  al. Vous me voyez venir avec

mes gros sabots, n'est-ce-pas? Je revenais de la biblioth  que de Montr  al, donc, parce que c'est agr  able d'y travailler. On y rencontre d'ailleurs souvent des   tudiants...de McGill. Et pas seulement des fumeurs!

Non, des   tudiants qui viennent travailler dans le calme et qui appr  cient trouver sur les   tag  res les livres dont ils ont besoin.

Vous avez s  rement remarqu  , Monsieur Renshaw, qu'a McGill, ce n'est pas vraiment calme. On se croirait plut  t chez Provigo le mercredi soir    5h30. Et cela, toute la journ  e, toute la semaine. Peut-  tre est-ce d   au fait que personne n'a l'impression d'entrer dans

une biblioth  que en sortant de l'ascenseur au 4     tage. Aucun r  flexe de baisser le tou, ni au 3  , ni au 5  , ni au 6  . Jamais. Et parler fort, c'est contagieux. Tout le monde sait cela. Alors finalement,   tudiants et employ  s parlent fort. Comme s'ils   taient chez Provigo.

Manifestement, il faudrait dire    ces gens qu'ils sont dans une biblioth  que. Ou en tout cas leur faire sortir. On ne peut pas demander aux photocopieuses de baisser le ton. Elles ne comprennent pas, elles. De toute fa  on, on finit par s'habituer    leur bruit monotone, comme on finit par ne plus entendre le tic-tac du cadran ou la goutte du robinet. Le

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Vodka Cont'd from p. 1

infinitesimal degree of comprehension of what it was like growing up in the Soviet Union.

A Jew by birth, Feldman was completely unaware of his status until the age of seven, when he was called a dirty Jew by a playmate. His father, instead of explaining to him what a Jew was, instead of going into the rich colourful traditions that make up the Jewish heritage, forbade him from playing with that particular child.

This is a typical reaction of a Soviet Jew. Shame, fear and general ignorance of their culture characterize the hardships faced by an estimated two and-a-half million Soviet citizens. Surrounded by hostile elements, Jews are isolated from their past with no real understanding of their identity. Aside from an inkling of information drawn from a tenuous connection with the religious rites of Judaism (even more strained at the present moment, since it has been illegal to believe in God in the Soviet Union since 1961), Soviet Jews are virtually cut off from their past. No mention of Jewish culture or the ancient state of Israel is to be found anywhere in Soviet textbooks.

Feldman sensed from that day on that something about him was different, even wrong, something that would severely restrict his future career possibilities and subject him to a life of psychological and eventually physical persecution.

An animated storyteller, Feldman related amusing but unsettling anecdotes of his summers spent at camp.

Knowing that his identity would eventually be unearthed (Stepanovich, Karazov, Molotov, Feldman..?), he quickly learned to ingratiate himself early on with the meanest, most threatening boy, who offered the easiest avenue to tolerance by his fellow campers.

However, his Jewishness did not prevent him from being indoctrinated, at age nine, into the Young Pioneers Movement, as are all citizens of the U.S.S.R. To this day, Feldman can still recite word for word the pledge taken to heart by every child; the vows of which include swearing allegiance to the goal of establishing communism throughout the world. In order to foster their commitment, the Pioneers venerate Pavlik Morozov, a Soviet national hero virtually unknown in the West. This eleven year old boy informed on his father, who had reserved one sack of rice for his family during Stalin's collectivization movement. His father was executed while the entire village looked on. Pavlik's grandfather, horrified by his grandson's behaviour, stabbed him and in so doing, made Pavlik a martyr and a national hero.

Having become a Pioneer and fulfilled his first goal in life, Feldman recalls renewing this pledge daily in school. He was "always ready" to carry out his sworn duty to the State.

Membership in the movement did not alleviate the burdens of being a Jew, and therefore a third class citizen. What was the catalyst that led Feldman to leave his homeland, his friends, his family and his

Cont'd on p. 5

Vodka

Cont'd from p. 4

work for a new, unknown, completely foreign country? His four year old nephew returned home from school, vowing to one day, when he was grown, kill all the Jews because they were murdering innocent Soviet children. That day he had seen in class an "educational" film. His mother, incapacitated by her lack of knowledge as to her people, and paralyzed out of fear that her protestations would incur the wrath of officials, could only cry.

At this point, Feldman realized that any future life in the Soviet Union was unbearable. His subsequent campaign to acquire a visa culminated

in a hunger strike in a Soviet prison. For Feldman, death was the only viable alternative to a continued life of oppression.

Leonid Feldman was fortunate in that he was able to escape that which several million of his compatriots now face daily on a rapidly escalating scale. Harassment of Soviet Jewry, which had levelled off during the last decade or so, is once again on the upswing, fervently endorsed by the State. Hashish supposedly used in religious rituals (illegal in the Soviet Union) is planted in the apartments of known dissidents, despite the near impossibility of procuring drugs in the U.S.S.R. These tactics and

others are a throwback to medieval times when Jews were accused of killing Christian babies and drinking their blood in religious rites, and are destined to promote suspicion and hostility toward Soviet Jewry. The need to focus world attention on their plight is urgent as is the necessity of increasing the pressure on Soviet officials to allow emigration, presently almost at a standstill. The efforts of Leonid Feldman and other activists must not go unnoticed and are deserving of our admiration. However, the task is not theirs alone.

And by the way, while it is true that Soviets really do like vodka, a full one third of them have never seen snow.

Lettre ouverte

Cont'd from p. 3

bruit des conversations, ce n'est pas pareil. Surtout quand il s'agit du récit de la fin de semaine.

J'avoue avoir essayé de faire taire le bruit, avec la méthode forte. J'avais l'air d'un croisé. On m'a même appelé Mère Supérieure- du- sixième- étage. Mais jusqu'à maintenant, ma taille n'a encore impressionné personne. Peut-être êtes-vous mieux placé que moi, Monsieur Renshawe.

Des directives, des affiches, un peu de surveillance. Comme à la petite école, puisque semble-t-il certaines personnes en ont besoin. On a bien empêché les gens de fumer à la bibliothèque. Pourquoi ne pas les empêcher de parler. C'est parfois tout aussi nocif!

Si vous arriviez à faire quelque chose, Monsieur, je vous en serai très reconnaissante. Ensuite, on pourra peut-être parler du fouilli qui règne à la bibliothèque. Mais mieux vaut ne pas aborder ce

sujet maintenant. Le propos principal pourrait s'en trouver dilué.

En vous remerciant de l'attention que vous porterez à cette lettre, je vous prie d'accepter l'expression de mes sentiments distingués.

Louise Comtois

ANSWERS

ACROSS

- (1) Estopped
- (5) Rabey
- (7) Use
- (8) Chic
- (10) Margo
- (12) H.P.
- (13) Athans
- (14) Eat
- (16) World
- (20) Donor
- (21) Usury

- (22) I.N.S.
- (23) Macdonald
- (25) Rate
- (26) Leg.
- (27) Offer

DOWN

- (1) Exchequer
- (2) OBCA
- (3) Pith
- (4) Durnford

- (5) Rem
- (6) Bar
- (9) HPA
- (11) Old
- (15) Trusts
- (16) Wopner
- (17) O.R.
- (18) Lender
- (19) Gym
- (22) Ill.
- (24) C.I.F.

ATTENTION BCL III GRADUATING CLASS

Unfortunately, there will be no class composite for 3rd year civil law graduating students. An insufficient number of students expressed interest.

Gerry Apostolatos

Law School Crossword

by Mark Hanchet

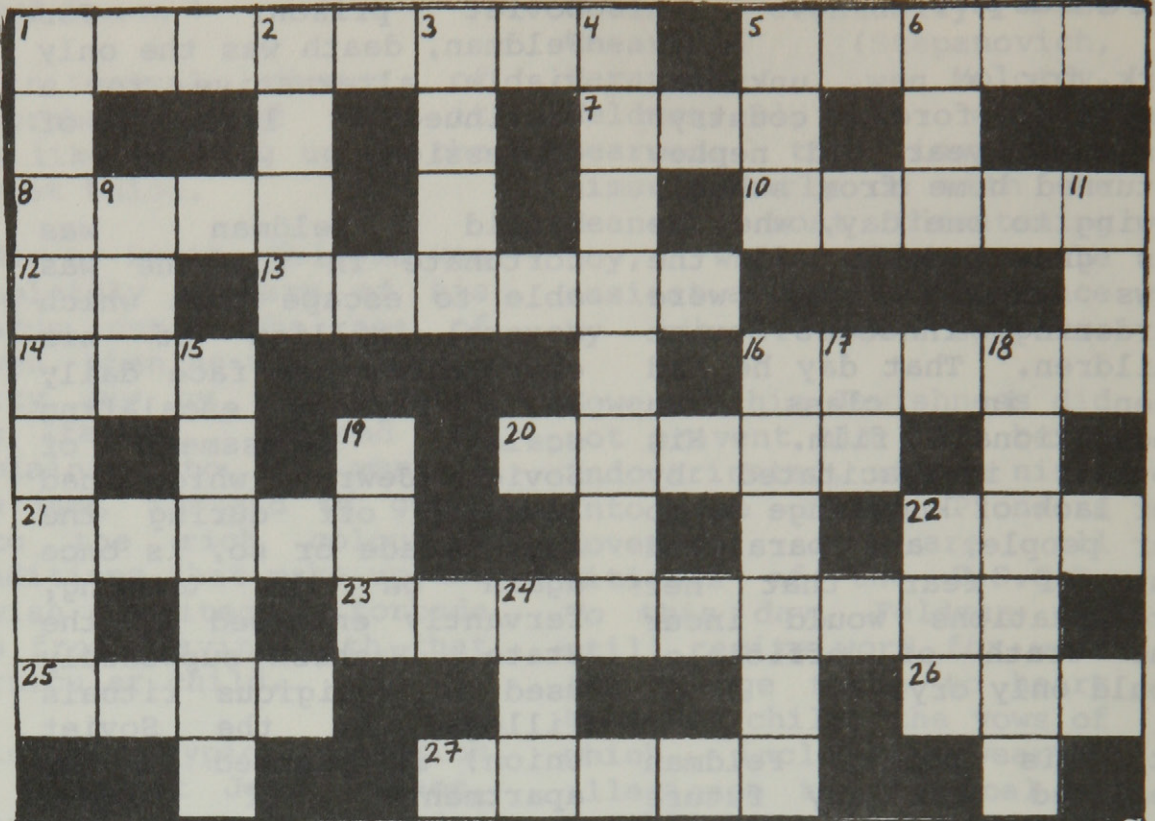
Answers p. 5

ACROSS

- (1) Prevented, barred
- (5) U of T automatism case
- (7) "Unto and to the _____"
- (8) Burman's attire
- (10) Somerville
- (12) Glenn
- (13) Famous waterskier
- (14) Elgin terrace word
- (16) Hague Court
- (20) DMC party
- (21) Laws regarding chargeable interest
- (22) A.P. opponent
- (23) Roderick
- (25) 21 across subject matter
- (26) Statutes (abbrev.)
- (27) With acceptance

DOWN

- (1) Federal Court, previously
- (2) Corporations Act
- (3) Substance or marrow companion
- (4) Tax man
- (5) Right in _____
- (6) Type of exam
- (9) 1984 rating
- (11) _____ Peter Beswick
- (15) Equity and _____
- (16) Californian judge
- (17) Reporter
- (18) Bailor
- (19) Squash locale
- (22) Unlawful (abbrev.)
- (24) Kind of sales contract (abbrev.)



Law Partners

by Judy Kennedy

John Relton, originator and organizer of the Law Partners' program, announced last week the institution of the Annual Law Partner Award of Merit to be given "to individuals who have made an outstanding contribution to student life or services in the Faculty of Law."

The first award was presented by John to the

Merit Award

staff members of the Student Affairs Office, Ilana Lederer, Anne Farray, and Maria Ruscco. In selecting the winners, the co-ordinating committee of Law Partners particularly recognized the importance of communication in student relationships and activities, and most importantly, its quality. To Mrs. L., Anne and Maria, goes formal appreciation for their singular willingness, dedication, and support in the collective task of humanizing the Law Faculty.

Congratulations, SAO!

